IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 1172 of 2002()

CRA.175/2000 of SESSIONS COURT, KOLLAM
CC.43/1995 of CHIEF JUDICIAL MAGISTRATE COURT, KOLLAM

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REVN. PETITIONER: APPELLANT/ACCUSED:

UNNI,
NEW ARCHANA FOOTWEAR, NEAR PRIVATE BUS STAND,
PATHANAMTHITTA.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR
SRI.V.VARGHESE

RESPONDENTS: RESPONDENTS/COMPLAINAT & STATE:

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1. PADINIJAREKKARA RUBBER AND PLASTICS
PVT. LTD., KOTTAYAM-4, REPRESENTED BY ITS
MANAGING DIRECTOR, ABRAHAM CHERIAN.

2. STATE, REP. BY THE PUBLIC PROSECUTOR,
OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT BUILDINGS, ERNAKULAM, KOCHI-31.

BY ADV. SRI.BIJU BALAKRISHNAN
PUBLIC PROSECUTOR SRI. C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 27/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.1172 of 2002

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Dated: 27-11-2007

ORDER

The accused in C.C. 43 of 1995 on the file of the Chief Judl.Magistrate, Kottayam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11891 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No.1172 of 2002

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Dated: 27-11-2007

ORDER